

MENAN CITY ORDINANCE #389
OF THE CITY OF MENAN, JEFFERSON COUNTY, IDAHO

AN ORDINANCE AMENDING THE ZONING OF THE CITY OF MENAN AND
PLANNING AND ZONING MAP OF THE CITY OF MENAN, JEFFERSON COUNTY,
IDAHO BY ANNEXING AND ZONING A CERTAIN PARCEL OF LAND INTO THE CITY
OF MENAN AS TRADITIONAL RESIDENTIAL DISTRICT IN CONFORMANCE WITH
MENAN PLANNING AND ZONING ORDINANCE NUMBER 351.

PREAMBLE

Since certain real property lying contiguous to the City boundaries shall be annexed into the corporate limits of the City of Menan, and this property needs to be zoned for the benefit of the City of Menan;

WHEREAS, public hearings were held on July 17, 2008 before the Planning and Zoning Commission and on August 14, 2008 before the Menan City Council, following publication and notice,

BE IT ORDAINED by the Mayor and City Council of the City of Menan, Idaho, as follows:

SECTION ONE

The Menan City Council determines that upon the recommendations of the Menan Planning and Zoning Commission and there being no objection by neighboring landowners following hearing, publication, and notice, it would be in the best interest of the City of Menan, to zone the below-described property traditional residential district and shall be incorporated into the City of Menan and as such, shall be subject to taxation by the City; this City Council has the authority to incorporate the below-described property to the City of Menan, pursuant to Idaho Code section 50-222:

GENERAL LOCATION:

685 North 3600 East, Menan, Idaho

THE LEGAL DESCRIPTION IS:

Beginning at a point that is S00°33'20"E along the Section line 465.00 feet from the Northwest Corner of Section 34, Township 5 North, Range 38 East of the Boise Meridian; running thence S00°33'20"E along said Section line 431.00 feet; thence N89°26'40"E 284.5 feet; thence S00°33'20"E 152.00 feet; thence S89°42'04"E 1020.39 feet; thence N00°20'40"W 581.42 feet; thence N89°43'53"W 493.58 feet; thence N89°52'20"W 813.45 feet to the POINT OF BEGINNING. Containing 16.42 acres.

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SECTION TWO

The Mayor of the City of Menan is hereby authorized and directed to amend the zoning map of the territories zoned under the provisions of this Ordinance.

SECTION THREE

The corporate limits of the City of Menan are hereby extended and increased so as to include and embrace within the corporate limits of the City of Menan the territory described in Section One hereof, and such territory is hereby annexed and declared to be a part of the City of Menan.

SECTION FOUR

The annexations are in accordance with the provisions of Menan City Ordinance #351, and Idaho Code Section 67-6525.

SECTION FIVE

It is further resolved that the Planning and Zoning laws shall reflect the Traditional Residential Zone and by this Ordinance does approve annexation and zoning.

SECTION SIX

The map or plat attached to this Ordinance is an accurate map of the territory annexed, the same is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat shows legal boundaries thereof, together with the avenues, streets, alleys, and lanes and the locations thereof, the same is hereby dedicated to public use for the purposes designated on the map or plat.

SECTION SEVEN

The Mayor of the City of Menan is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this Ordinance.

SECTION EIGHT

The Ordinance, with a certified copy of the official map attached hereto, shall be recorded within ten (10) days of the passage of the Ordinance in the office of the auditor, treasurer and assessor, County of Jefferson, State of Idaho. Pursuant to Idaho Code section 50-223, a copy of this Ordinance shall also be filed with the Idaho State Tax Commission to comply with the requirements of Section 63-2215 of the Idaho Code.

SECTION NINE

The Menan City Council does not deem it appropriate to survey the land to be annexed in this instance.

SECTION TEN

On the filing and recording of the copy of this Ordinance, together with the attached official map, in the office of the County Recorder of the County of Jefferson, State of Idaho, the fee of all avenues, lanes, streets, highways, roads and alleys shown in the map shall vest in the City of Menan.

SECTION ELEVEN

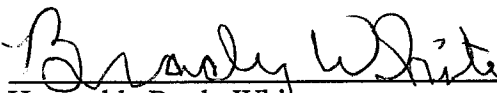
If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for the purpose of the provisions of this Ordinance are hereby declared to be severable.

SECTION TWELVE


Pursuant to Idaho Code Section 50-901A, a summary of this Ordinance may be published.

Passed by the City Council of the City of Menan on the 14th day of August, 2008.

CITY OF MENAN



Honorable Brady White
Mayor, City of Menan


Attest:


Stacy L. Scott
City Clerk/Treasurer

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TECHNICAL SUPPORT



 Current City Limits

 New Annexation

 Village District Zoning

All other areas are Traditional Residential Zoning

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TECHNICAL SUPPORT

CITY OF MENAN

PO BOX 127

MENAN ID 83434

Phone (208) 754-8876

Fax (208) 754-0919

Brady White

Mayor

Stacy L. Scott

Clerk-Treasurer

August 26, 2008

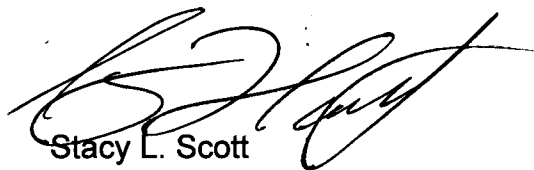
Mr. Royce Chigbrow
Idaho State Tax Commission
800 Park Boulevard, Plaza 4
PO Box 36
Boise, Idaho 83722

Dear Mr. Chigbrow:

Enclosed you will find a copy of City of Mean Ordinance #389 approved on August 14, 2008. After the Ordinance was approved by the Council, it was published in the local paper, the "Jefferson Star", within 30 days of approval.

In the Ordinance under Section One is the legal description of the property. If you have any questions please feel free to contact me at (208) 754-8876.

Sincerely,



Stacy L. Scott
City Clerk/Treasurer

Enclosures

Cc: Jefferson County Assessor
Jefferson County Clerk/Auditor
File

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AUG 28 2008

LEGAL SECTION
STATE TAX COMMISSION
BOISE, IDAHO